

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

Eastern DIVISION

FILED

JAN 27 2014

U. S. District Court
Eastern District of MO
JAN 27 2014

Michael Daugherty

(Enter above the full name of the Plaintiff[s]
in this action.)

- VS -

Steak N Shake

Case No. _____
(To be assigned by Clerk
of District Court)

Jury Trial

(Enter above the full name of ALL Defend-
ant[s] in this action. Fed. R. Civ. P. 10(a)
requires that the caption of the complaint
include the names of **all** the parties. Merely
listing one party and "et al." is insufficient.
Please attach additional sheets if necessary.)

COMPLAINT

- I. State the grounds for filing this case in Federal Court (include federal statutes and/or U.S. Constitutional provisions, if you know them):

ADA Title III Public Accommodations

Americans With Disabilities Act of 1990

42 USC. §§ 12101 Seq

Title 2 of civil Rights Act of 1964 (Public Accommodations)

Section 204(a)(c), Section 206(a)(2)(3), Section 207(b)

Section 201(a), 201(d)(1)(2)(3) Section 202, Section 203(a)(b)

II. Plaintiff, Michael D resides at

5779 Riverview Blvd, St. Louis, city,
street address city county

Mo., 63147, (314) 504-1784.
state zip code telephone number

(if more than one plaintiff, provide the same information for each plaintiff below)

III. Defendant, Steak N Shake lives at, or its business is located at

10459 Page Ave, St Louis, County,
street address city county

Mo., 63132.
state zip code

(if more than one defendant, provide the same information for each defendant below)

- IV. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. You may use additional paper if necessary):

Three of my friends and I whom are all disabled went to Steak N Shake for breakfast. We are all African American one of us has a motorized wheel chair the rest of us use a cane.

We all met at Steak N Shake at about 10 minute intervals. The person in the wheelchair arrived first with one other person, I arrived 10 minutes later and one more arrived 10 minutes after that.

No one ever came to wait on us or bring us a menu, water, or anything. Two white gentlemen came in separately in between our visit and both received full service.

We attempted to get the waitresses attention but we were completely ignored. There were only 6 patrons in the restaurant, the two white gentlemen and my group of 4 disabled African Americans who are also all retired. This act was hurtful and embarrassing to be refused service under these conditions.

V. Relief: State briefly and exactly what you want the Court to do for you.

I would like the Court to give me the chance
to bring this discrimination before its court, with the
hopes that no one else would have to suffer the pain
and heartache we experienced for being African American
& Disabled.

VI. MONEY DAMAGES:

A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES ☒

NO ☐

B) If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

\$150,000, This is a small price to pay for what
we experienced my disability is forever and my race
will never change. we were refused service based on these facts.

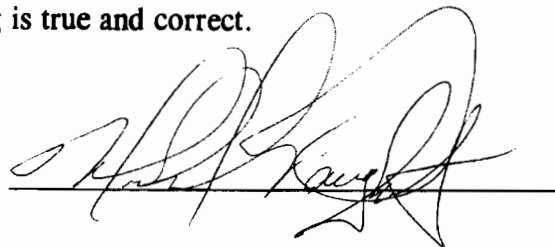
VII. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES ☒

NO ☐

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 27 day of January, 2014



Signature of Plaintiff(s)